

CHAPTER 209

INCOME TAX RETURNS

S. F. 22

AN ACT amending section four hundred twenty-two point twenty-one (422.21), Code 1954, relating to the time of filing of income tax returns.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred twenty-two point twenty-one
2 (422.21), Code 1954, is hereby amended by striking from lines four
3 (4) and five (5) thereof the following words, "within ninety days
4 after the expiration of the tax year." and inserting in lieu thereof the
5 following "on or before the last day of the fourth (4th) month after
6 the expiration of the tax year."

1 SEC. 2. This Act being deemed of immediate importance shall be
2 in full force and effect from and after publication in the Neola-Gazette
3 Reporter, a newspaper published at Neola, Iowa, and the Perry Chief,
4 a newspaper published at Perry, Iowa.

Approved February 18, 1955.

I hereby certify that the foregoing Act, Senate File 22, was published in the Perry Chief, Perry, Iowa, February 23, 1955, and the Neola Gazette Reporter, Neola, Iowa, February 24, 1955.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 210

INCOME TAX RETURNS

H. F. 447

AN ACT to amend section four hundred twenty-two point twenty-five (422.25), Code 1954, relating to the limitation period for examination of individual income tax returns.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred twenty-two point twenty-five
2 (422.25), Code 1954, is hereby amended by striking from line two
3 (2) thereof the word "two" and inserting in lieu thereof the word
4 "three".

1 SEC. 2. Section four hundred twenty-two point twenty-five
2 (422.25), subsection one (1), Code 1954, is further amended by
3 striking the period following the word "tax" in line five (5) and
4 inserting in lieu thereof the following: "; provided that if the tax-
5 payer omits from income such an amount as will, under the Internal
6 Revenue Code of 1954, extend the statute of limitations for assess-
7 ment of federal tax to six (6) years under said Code, the period for
8 examination and determination shall be six (6) years; and provided
9 further that the period for examination and determination shall be
10 unlimited in the case of a false or fraudulent return with intent to
11 evade tax. The burden of proof of additional tax owing under the
12 six-year period, or unlimited period, shall be on the tax commission.

13 This Act shall not apply to tax years barred by the statute of limi-
14 tations as of the date of passage.

1 SEC. 3. This Act being deemed of immediate importance shall be
2 in force and effect immediately upon its passage and publication in
3 the LeMars Sentinel, a newspaper published at LeMars, Iowa, and
4 in the Postville Herald, a newspaper published at Postville, Iowa.

Approved March 28, 1955.

I hereby certify that the foregoing Act, House File 447, was published in the LeMars Sentinel, LeMars, Iowa, March 30, 1955, and in the Postville Herald, Postville, Iowa, March 30, 1955.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 211

INCOME TAX PENALTIES

H. F. 541

AN ACT to amend section four hundred twenty-two point twenty-five (422.25), Code 1954, relating to tax penalties.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred twenty-two point twenty-five
2 (422.25), Code 1954, subsection three (3), is amended by striking
3 the semicolon at the end of line seven (7) and all of lines eight (8)
4 through twenty-one (21) and inserting in lieu thereof the following:
5 " In case of failure to file a return on the date prescribed therefor
6 (determined with regard to any extension of time for filing), unless
7 it is shown that such failure was due to reasonable cause and not due
8 to willful neglect, there shall be added to the amount required to be
9 shown as tax on such return five per cent (5%) of the amount of
10 such tax if the failure is for not more than one (1) month, with an
11 additional five per cent (5%) for each additional month or fraction
12 thereof during which such failure continues, not exceeding twenty-
13 five per cent (25%) in the aggregate. In case of willful failure to file
14 a return with intent to evade tax, in lieu of the five per cent (5%)
15 monthly penalty above provided, there shall be added to the amount
16 required to be shown as tax on such return fifty per cent (50%) of
17 the amount of such tax, and in case of willful filing of a false return
18 with intent to evade tax, there shall be added to the amount required
19 to be shown as tax on such return fifty per cent (50%) of the amount
20 of such tax.

1 SEC. 2. Section four hundred twenty-two point twenty-five
2 (422.25), Code 1954, is further amended by striking subsections six
3 (6) and seven (7).

1 SEC. 3. Section four hundred twenty-two point twenty-five
2 (422.25), Code 1954, subsection eight (8), is further amended by
3 inserting after the word "required" in line one (1) the words "to
4 supply any information, to pay any tax, or", and by inserting after
5 the comma at the end of line three (3) the words "or fails to pay such
6 tax, supply such information, or make, render, or sign such return,".